

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LISA HOOPER, BRANDIE OSBORNE,  
KAYLA WILLIS, REAVY WASHINGTON,  
individually and on behalf of a class of  
similarly situated individuals; THE  
EPISCOPAL DIOCESE OF OLYMPIA;  
TRINITY PARISH OF SEATTLE; REAL  
CHANGE,

Plaintiffs,

v.

CITY OF SEATTLE, WASHINGTON;  
WASHINGTON STATE DEPARTMENT OF  
TRANSPORTATION; ROGER MILLAR,  
Secretary of Transportation for WSDOT, in his  
official capacity,

Defendants.

No. 2:17-cv-00077-RSM

[PROPOSED] ORDER GRANTING  
MOTION FOR CONVERSION OF  
PRELIMINARY INJUNCTION  
RULING INTO FINAL JUDGMENT  
ON THE MERITS

Hearing date: 3/27/2020  
Without Oral Argument

This matter came before the Court on Defendant City of Seattle's Motion for Conversion of Preliminary Injunction Ruling into Final Judgment on the Merits ("Motion"). The Court considered the Motion and all filings of record in support of and opposition to the Motion.

Being fully advised in this matter, the Court finds that the requested conversion of the Court's prior decision denying injunctive relief, *see* Dkt. No. 209, into a final judgment granting

1 the City summary judgment on the merits of all claims, is appropriate. Based on the foregoing,  
2 the Court FINDS, ORDERS, and DECLARES as follows:

- 3 1. The parties have been given a full opportunity to present their respective cases.
- 4 2. Plaintiffs have been given notice and an opportunity to object to the Motion.
- 5 3. The proper outcome of the claims asserted in this case is apparent from the record,  
6 which has been adequately developed.
- 7 4. The Motion is GRANTED. The Court hereby converts its preliminary injunction  
8 decision, Dkt. No. 209, into a final judgment on the merits.
- 9 5. Plaintiffs' claims are DISMISSED with prejudice. Plaintiffs failed to show how the  
10 City's encampment rules are facially invalid, to establish the violation of their  
11 constitutional rights, or to demonstrate that the balance of equities tip in their favor or  
12 that an injunction is in the public interest, especially given Defendants' interest in  
13 maintaining public property free of items that may pose threats to motorists,  
14 pedestrians, workers, and other unhoused persons. *See* Dkt. No. 209 at 16-34.
- 15 6. The City's counterclaim is GRANTED. The Court hereby DECLARES that the  
16 City's encampment rules are valid facially and as applied to the Plaintiffs. *See* Dkt.  
17 No. 209 at 16-31.

18 It is SO ORDERED.

19 DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

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24 \_\_\_\_\_  
25 Honorable Ricardo S. Martinez  
26 United States District Court Judge  
27

1 Presented by:

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